# **REMARKS**

#### I. Introduction

In response to the Office Action dated May 22, 2002, no claims have been amended. Claims 21-40 remain in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

## II. Allowable Subject Matter

In paragraph 3 of the Office Action, claims 23-27 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Applicants thank the Examiner and formally recognize the allowable subject matter of claims 23-27.

## III. <u>Double Patenting Rejections</u>

In paragraph 2, the Office Action rejected claims 21, 22, and 28-40 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 6-19 of U.S. Patent No. 6,389,291.

The Applicants respectfully traverse the rejections, however, the Applicants file herewith a Terminal Disclaimer to overcome the rejections.

#### IV. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectively solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.



Respectfully submitted,

HOGAN & HARTSON L.L.P.

Date: July 19, 2002

Anthony J. Orler

Registration No. 41,232 Attorney for Applicant(s)

Biltmore Tower 500 South Grand Avenue, Suite 1900 Los Angeles, CA 90071

Telephone: (213) 337-6700 Facsimile: (213) 337-6701

# APPENDIX A: SPECIFICATION SECTIONS IN MARKED-UP FORM

This is a continuation of application Serial No. 90/781,068, filed February 8, 2001, now U.S. Patent No. 6,389,291, which application is hereby incorporated by reference in its entirety.